



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20350-1000

SECNAVINST 12990.1
PERS-20
7 MAY 1991

SECNAV INSTRUCTION 12990.1

From: Secretary of the Navy

Subj: ACTIVE DUTY SERVICE DETERMINATIONS FOR CIVILIAN OR
CONTRACTUAL GROUPS

Ref: (a) Public Law 95-202, "The G.I. Bill Improvement Act of
1977," Section 401, November 23, 1977 (38 U.S.C. 106
Note)
(b) DoD Directive 1000.20, "Active Duty Service
Determinations for Civilian or Contractual Groups" of
11 Sep 89 (NOTAL)

1. Purpose. To prescribe the procedures to apply for a discharge certificate for a member of an established group of civilian employees or contract workers who provided service to the U.S. Navy or U.S. Marine Corps in a manner considered active military service recognized by the Secretary of the Air Force, and to implement references (a) and (b).

2. Background. Reference (a) directed that the service of any person, under certain conditions, who rendered service to the Armed Forces of the United States in a capacity considered civilian employment or contractual service at the time such service was rendered, could be considered active duty for the purposes of all laws administered by the Department of Veterans' Affairs. The Secretary of the Air Force is designated the Executive Agent of the Secretary of Defense for the administration of Public Law 95-202.

3. Applicability. This instruction applies to any individual who applies to the Department of the Navy for discharge documents as a member of a group recognized by the Secretary of the Air Force.

4. Program Scope and Limits. A determination of active duty service that is considered to be equivalent to active military service is made on the extent to which the group was under the control of the U.S. Armed Forces in support of a military operation or mission during an armed conflict. The extent of control exerted over the group must be similar to that exerted over military personnel and shall be determined by guidance provided in reference (b).



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5. Responsibilities

a. The Secretary of the Air Force is the designated Executive Agent of the Secretary of Defense for the administration of P.L. 95-202 (reference (a)).

b. The Secretary of the Navy will appoint a primary and an alternate in the grades of O-6 or GM-15 or higher to serve as the Department of the Navy's representative to the DOD Civilian/Military Service Review Board described in reference (b).

(1) The Assistant Chief of Naval Personnel for Management Support (PERS-3) and the Deputy Chief of Staff for Manpower and Reserve Affairs (Marine Corps) will prepare all discharge documents in accordance with reference (b).

(2) For those groups for which the Secretary of the Air Force has designated the Department of the Navy responsible, individual members may apply to the Department of the Navy for discharge documents. Applications will be submitted on Form DD 2168, "Application for Discharge of Member or Survivor of Member of Group Certified to Have Performed Active Duty with the Armed Forces of the United States." An application on behalf of a deceased or incompetent member submitted by the next of kin must be accompanied by proof of death or incompetence. Applications will be submitted to:

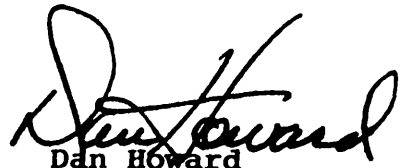
Navy:

Bureau of Naval Personnel
(PERS-3)
Department of the Navy
Washington, D.C. 20370-5300

Marine Corps:

Headquarters Marine Corps
Code MMRB
Quantico, VA 22134-0001

6. Form. DD 2168 (5-89), Application for Discharge of Member or Survivor of Member of Group Certified to Have Performed Active Duty With the Armed Forces of the United States, may be obtained from the Department of Veterans' Affairs or the Bureau of Naval Personnel (PERS-3).


Dan Howard
Secretary of the Navy
Acting

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